

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

AIMEE W.,

Plaintiff,

v.

CIVIL ACTION NO. 2:23-cv-00025

KILOLO KIJAKAZI,
Acting Commissioner of Social Security,

Defendant.

ORDER

This action was referred to United States Magistrate Judge Cheryl A. Eifert for submission of proposed findings of fact and recommendations for disposition pursuant to 28 U.S.C. § 636(b)(1)(B). On October 4, 2023, Magistrate Judge Eifert submitted her Proposed Findings & Recommendation (“PF&R”), [ECF No. 14], finding that the Administrative Law Judge’s decision was based on substantial evidence and recommending that: (1) Plaintiff’s request for judgment on the pleadings be denied; (2) the Commissioner’s request for judgment on the pleadings be granted; (3) the Commissioner’s decision be affirmed; and (4) this case be dismissed and removed from the docket of the Court.

The deadline for the parties to file objections to the PF&R was October 23, 2023. Neither party filed any objections to the PF&R.

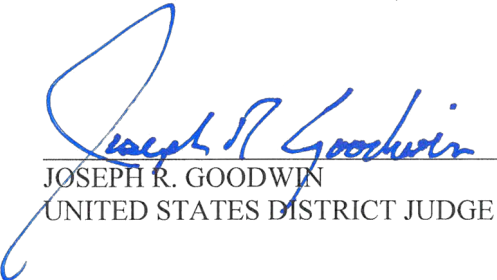
A district court “shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.”

28 U.S.C. § 636(b)(1)(C). This court is not, however, required to review—under a de novo or any other standard—the factual or legal conclusions of the magistrate judge as to those portions of the findings or recommendation to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 149–50 (1985).

Because the parties have not filed objections in this case, the court adopts and incorporates herein the PF&R and orders judgment consistent therewith. Plaintiff's request for judgment on the pleadings is **DENIED**; the Commissioner's request for judgment on the pleadings is **GRANTED**; the Commissioner's decision is **AFFIRMED**; and this civil action is **DISMISSED**.

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: November 3, 2023



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE